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Examlner K. Mitchell**FROM:**
Byron S. Kuzara**COMPANY:**
U.S.P.T.O.**DATE:**
January 10, 2005**FAX NUMBER:**
703-872-9306**TOTAL NO. OF PAGES:**
19**RE:**
U.S. Serial No. 10/685,309**OUR REFERENCE NO.:**
005127.00467*If you do not receive all page(s) or have any problems receiving this transmission, please call:***NAME:** Lesa Wolman**PHONE:** 503-425-6800**COMMENTS:**

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PTO/SB/97 (06-03)

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Amendment (16 pages)
Fee Transmittal (1 page)

Serial No. 10/685,309
Attorney Docket No. 005127.00467

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FEE TRANSMITTAL for FY 2005		Complete If Known	
		Application Number	10/685,309
		Filing Date	10/14/03
		First Named Inventor	Philip FRANK
		Examiner Name	K. Mitchell
		Art Unit	3877
		Attorney Docket No.	005127.00467
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT (\$) 200			

METHOD OF PAYMENT (check all that apply)

- ☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : _____
☒ Deposit Account Deposit Account Number: 19-0733 Deposit Account Name: Banner & Witcoff, LTD.
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 Under 37 CFR 1.16 and 1.17

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 30 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims		
<u>35</u> -50 or HP= <u>0</u> x <u>50</u> = <u>0</u>		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims		
<u>5</u> - 4 or HP= <u>1</u> x <u>200</u> = <u>200</u>		
HP = highest number of independent claims paid for, if greater than 3.		
Multiple Dependent Claims		
<u>360</u>		<u>0</u>

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)
 _____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

Signature	<u>Byron S. Kuzara</u>	Registration No. (Attorney/Agent)	<u>51,255</u>	Telephone	<u>503-425-6800</u>
Name (Print/Type)	<u>Byron S. Kuzara</u>	Date	<u>1/10/05</u>		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at telephone number (703) 872-9306 on January 10, 2005.

Respectfully submitted,

By: B. S. K.
Byron S. Kuzar
Registration Number 51,255
Banner & Witcoff, Ltd.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Philip Andrew FRANK

Serial Number 10/685,309

Filed: October 14, 2003

For: FLEXIBLE BAND

Group Art Unit: 3677

Examiner: Mitchell, K.

Attorney Reference: 005127.00467

AMENDMENT

Commissioner for Patents
Alexandria, VA 22313

Sir:

In response to the Office Action mailed October 12, 2004, please amend the above-captioned application as follows: